

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Jamison Vollmer v Sarah Brooks**

Docket No. **308362**

L.C. No. **10-047551-DC**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the January 19, 2012 order granting appellee's motion to change the domicile of the parties' minor child is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That order is not a final order under MCR 7.202(6)(a)(iii) because, under the circumstances of this case, granting appellee's motion to change domicile did not affect the custody of the parties' child. Notably, it is apparent that, unlike in *Thurston v Escamilla*, 469 Mich 1009; 677 NW2d 28 (2004), appellant did not exercise joint physical custody over the parties' child when the motion to change domicile was granted. Appellant may seek to appeal the January 19, 2012 order only by filing an application or delayed application for leave to appeal under MCR 7.205.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

FEB 10 2012

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", written over a horizontal line.

Chief Clerk